Supreme Court, U.S.
FILED
SEP 19 1986
JOSEPH F. SPANIOL, JR
CLERK

NO. 86-242

IN THE SUPREME COURT
of the
UNITED STATES

October Term, 1986

CHARLES W. SMITH,
Petitioner,

v.

DEPARTMENT OF THE AIR FORCE
Respondents.

# ANSWER TO THE GOVERNMENT WAIVER, ASKING FOR JUDGMENT TO BE ENTER IN THIS CASE NO. 86-242 IN FAVOR OF THE PETITIONER

Charles W. Smith, Pro Se
5253 North Lovers Lane Rd.
Unit 314
Milwaukee, WI 53225
(414) 463-9977, (414) 264-1900
Pro Se to the Petitioner
Mary E. Printers

TABLE OF CONTENTS


| | Page |
|---|---|
| REPLY TO THE GOVERNMENT WAIVER . . . . . | 1-2 |
| BILL OF COST FOR MARY E. PRINTERS . . . . . | 3 |


AUTHORITIES CITED


| | |
|---|---|
| ATLAS LIFE INS. CO. vs.SCHRIMSHER, 179 Okl. 643, 66P. 2d 944, 946 . . . . . | 1 |

ANSWER TO THE
GOVERNMENT WAIVER

The Petitioner hereby request the court to enter judgment in this above case on grounds that the Government did waive their rights to deny or rebuttal the allegations submitted in the petition by the petitioner. The Government has concluded that the allegations is true so, there is no more argument required from the petitioner to prove its case.

The Government did surrender a claim, a privilege, a right, or the opportunity to take advantage of some defect, irregularity, or wrong and the Government did give up their right or claim voluntarily and knowingly and the Government was possessed of the facts.

The Waiver submitted by the Government is a doctrine resting upon an equitable principle which courts of Law will recognize. Atlas Life Ins. Co. vs. Schrimsher, 179 OKl. 643, 66 P. 2d 944 946.

Wherefore petitioner prays for reversal of the decision made by the United States Court of Appeals for the Federal Circuit and the Merit Protection Board and enter judgment ordering that the Government reinstate the petitioner back to his work position with the Air Force Base in Wright Patterson Air Force Base, Ohio and Order that the petitioner be payed all back pay for being force to submit to the Government wrong doing and also order that Ms. Mary E. Printers be payed for all time spent for research, writing the case up and paying for typing the case, copies and fees for each petition. Giving the Petitioner the assistance he needed for putting the case together.

For the reasons set forth above, the Petitioner ask the Court to enter judgment in its favor.

For such other and further relief as the Court may deem appropriate including the cost of this action.

Respectfully submitted

CHARLES W. SMITH, Pro Se

Charles W. Smith
Pro Se

By Mary E. Printers
Mary E. Printers
Pro Se to the Petitioner

Charles W. Smith
5253 North Lovers Lane Rd.
Unit 314
Milwaukee, Wisconsin 53225
(414) 463-9977, (414) 264-1900
Pro Se to the Petitioner
Mary E. Printers

BILL OF COST

| | | |
|---|---|---|
| Mary E. Printers | 2,000 hrs at $30.00 per hr. = | $60,000 |
| Barbara J. Lorence | 250 hrs at $7.00 per hr. = | $1,750 |
| Toni R. Napier | 250 hrs at $7.00 per hr. = | $1,750 |
| Sadarria Bracyadams | 100 hrs at $7.00 per hr. = | $700.00 |
| Quick Printer | Copies | $625.00 |
| Petition fees | | $260.00 |